

bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1160. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1161. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1162. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1163. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1164. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1165. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1166. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1167. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1168. Mr. GRAMM proposed an amendment to amendment SA 1030 submitted by Mrs. MURRAY and intended to be proposed to the amendment SA 1025 proposed by Mrs. MURRAY to the bill (H.R. 2299) supra.

SA 1169. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1170. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1171. Mr. CRAIG submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1172. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1173. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1174. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1175. Mr. FITZGERALD (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 1071 submitted by Mr. FITZGERALD and intended to be proposed to the bill (H.R. 2299) supra; which was ordered to lie on the table.

SA 1176. Ms. SNOWE (for herself and Mr. McCAIN) submitted an amendment intended to be proposed to amendment SA 1130 submitted by Ms. COLLINS and intended to be proposed to the bill (H.R. 2299) supra; which was ordered to lie on the table.

SA 1177. Ms. SNOWE (for herself, Mr. McCAIN, Mr. BREAUX, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 1132 submitted by Ms. COLLINS and intended to be proposed to the bill (H.R. 2299) supra; which was ordered to lie on the table.

SA 1178. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1179. Mr. McCAIN submitted an amendment intended to be proposed by him to the

bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1180. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1181. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1182. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1183. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1184. Mr. SMITH, of New Hampshire submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1185. Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1186. Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1187. Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 2299, supra; which was ordered to lie on the table.

SA 1188. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill (S. 1246) to respond to the continuing economic crisis adversely affecting American agricultural producers; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 1158.** Mr. DAYTON (for himself and Mr. WELLSTONE) submitted an amendment intended to be proposed to amendment SA 1025 submitted by Mrs. MURRAY and intended to be proposed to the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 81, between lines 13 and 14, insert the following:

#### **SEC. 3 . PRIORITY HIGHWAY PROJECTS, MINNESOTA.**

In selecting projects to carry out using funds apportioned under section 110 of title 23, United States Code, the State of Minnesota shall give priority consideration to the following projects:

- (1) The Southeast Main and Rail Relocation Project in Moorhead, Minnesota.
- (2) Improving access to and from I-35 W at Lake Street in Minneapolis, Minnesota.

**SA 1159.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: "Provided, That this provision shall be effective one day after the date of enactment of this Act."

**SA 1160.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making ap-

propriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: "Provided, That this provision shall be effective one day after the date of enactment of this Act."

**SA 1161.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: "Provided, That this provision shall be effective one day after the date of enactment of this Act."

**SA 1162.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: "Provided, That this provision shall be effective two days after the date of enactment of this Act."

**SA 1163.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: "Provided, That this provision shall be effective three days after the date of enactment of this Act."

**SA 1164.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: "Provided, That this provision shall be effective four days after the date of enactment of this Act."

**SA 1165.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: "Provided, That this provision shall be effective five days after the date of enactment of this Act."

**SA 1166.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies

for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: "Provided, That notwithstanding any other provision of this Act, and consistent with United States obligations under the North American Free Trade Agreement, nothing in this Act shall be applied so as to discriminate against Mexico by imposing any requirements on a Mexican motor carrier that seeks to operate in the United States that do not exist with regard to United States and Canadian motor carriers, in recognition of the fact that the North American Free Trade Agreement is an agreement among three free and equal nations, each of which has recognized rights and obligations under that trade agreement."

**SA 1167.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: "Provided, That effective one day after the date of enactment of this Act, notwithstanding any other provision of this Act, and consistent with United States obligations under the North American Free Trade Agreement, nothing in this Act shall be applied so as to discriminate against Mexico by imposing any requirements on a Mexican motor carrier that seeks to operate in the United States that do not exist with regard to United States and Canadian motor carriers, in recognition of the fact that the North American Free Trade Agreement is an agreement among three free and equal nations, each of which has recognized rights and obligations under that trade agreement."

**SA 1168.** Mr. GRAMM proposed an amendment to amendment SA 1030 submitted by Mrs. MURRAY and intended to be proposed to the amendment SA 1025 proposed by Mrs. MURRAY to the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place, insert the following: "Provided, That notwithstanding any other provision of Act, nothing in this Act shall be applied in a manner that the President finds to be in violation of the North American Free Trade Agreement."

**SA 1169.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: "Provided, That effective one day after the date of enactment of this Act, notwithstanding any other provision of Act, nothing in this Act shall be applied in a manner that the President finds to be in violation of the North American Free Trade Agreement."

**SA 1170.** Mr. FEINGOLD submitted an amendment intended to be proposed

by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, insert the following:

SEC. . General Mitchell International Airport in Milwaukee, Wisconsin shall be considered as an alternative airport in any plan relating to alleviating congestion at O'Hare International Airport.

**SA 1171.** Mr. CRAIG submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in the amendment, insert the following:

SEC. 343. SAFETY OF CROSS-BORDER TRUCKING BETWEEN UNITED STATES AND NAFTA COUNTRIES.

(a) STUDY BY SECRETARY OF TRANSPORTATION.—

(1) IN GENERAL.—The Secretary of Transportation shall conduct a study on the extent to which motor carriers from a NAFTA country currently operating in the United States, or applying for a long-haul permit to operate in the United States, meet or exceed the safety standards required for United States motor carriers.

(2) REPORT.—

(A) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary shall report to Congress on the results of the study conducted under paragraph (1).

(B) CONTENTS.—The report shall specify whether, according to the Department of Transportation standards relating to inspected motor carriers that are ordered off the road, the motor carriers from each of the NAFTA countries—

(i) meet or exceed the Department of Transportation standards compared to United States motor carriers; or

(ii) have a failure rate greater than United States motor carriers.

(3) ACTION BASED ON REPORT.—If the report described in paragraph (2) establishes that the motor carriers from a NAFTA country meet or exceed United States motor carrier standards, subsection (b) shall not apply with respect to the motor carriers of that country. If the report establishes that the motor carriers of a NAFTA country have a greater rate of failure than United States motor carriers, the provisions of subsection (b) shall apply with respect to the motor carriers of that country for fiscal year 2002.

(4) NAFTA COUNTRY.—For purposes of this section, the term "NAFTA country" has the meaning given that term in section 2(4) of the North American Free Trade Agreement Implementation Act.

(b) REVIEW AND PROCESSING CERTAIN APPLICATIONS.—In the case of a NAFTA country whose motor carriers have a greater rate of failure of the Department of Transportation inspections pursuant to the report described in subsection (a), no funds limited or appropriated in this Act may be obligated or expended for the review or processing of an application by a motor carrier from that NAFTA country for authority to operate beyond United States municipalities and commercial zones on the United States border with that country until—

(1) the Federal Motor Carrier Safety Administration—

(A) performs a full safety compliance review of the carrier consistent with the safety fitness evaluation procedures set forth in part 385 of title 49, Code of Federal Regulations, and gives the carrier a satisfactory rating before granting conditional and, again, before granting permanent authority to any such carrier;

(B) requires that any such safety compliance review take place onsite at the motor carrier facilities of the NAFTA country;

(C) requires Federal and State inspectors to verify electronically the status and validity of the license of each driver of a commercial motor carrier from the NAFTA country crossing the border;

(D) gives a distinctive Department of Transportation number to each motor carrier from that NAFTA country operating beyond the commercial zone to assist inspectors in enforcing motor carrier safety regulations including hours-of-service rules under part 395 of title 49, Code of Federal Regulations;

(E) requires State inspectors whose operations are funded in part or in whole by Federal funds to check for violations of Federal motor carrier safety laws and regulations, including those pertaining to operating authority and insurance;

(F) requires State inspectors who detect violations of Federal motor carrier safety laws or regulations to enforce them or notify Federal authorities of such violations;

(G) equips all United States border crossings with that NAFTA country with Weigh-In-Motion (WIM) systems as well as fixed scales suitable for enforcement action and requires that inspectors verify by either means the weight of each commercial vehicle entering the United States at such a crossing;

(H) the Federal Motor Carrier Safety Administration has implemented a policy to ensure that no motor carrier from that NAFTA country will be granted authority to operate beyond United States municipalities and commercial zones on the United States border with that country unless that carrier provides proof of valid insurance with an insurance company licensed and based in the United States; and

(I) publishes in final form regulations—

(i) under section 210(b) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31144 nt.) that establish minimum requirements for motor carriers from that NAFTA country, including foreign motor carriers, to ensure they are knowledgeable about Federal safety standards, that include the administration of a proficiency examination;

(ii) under section 31148 of title 49, United States Code, that implement measures to improve training and provide for the certification of motor carrier safety auditors;

(iii) under sections 218(a) and (b) of that Act (49 U.S.C. 31133 nt.) establishing standards for the determination of the appropriate number of Federal and State motor carrier inspectors for the United States border with that NAFTA country;

(iv) under section 219(d) of that Act (49 U.S.C. 14901 nt.) that prohibit foreign motor carriers from leasing vehicles to another carrier to transport products to the United States while the lessor is subject to a suspension, restriction, or limitation on its right to operate in the United States;

(v) under section 219(a) of that Act (49 U.S.C. 14901 nt.) that prohibit foreign motor carriers from operating in the United States that is found to have operated illegally in the United States; and

(vi) under which a commercial vehicle operated by a motor carrier from that NAFTA country may not enter the United States at a border crossing unless an inspector is on duty; and

(2) the Department of Transportation Inspector General certifies in writing that—

(A) all new inspector positions funded under this Act have been filled and the inspectors have been fully trained;

(B) each inspector conducting on-site safety compliance reviews in a NAFTA country consistent with the safety fitness evaluation procedures set forth in part 385 of title 49, Code of Federal Regulations, is fully trained as a safety specialist;

(C) the requirement of subparagraph (B) has not been met by transferring experienced inspectors from other parts of the United States to the United States border with a NAFTA country, undermining the level of inspection coverage and safety elsewhere in the United States;

(D) the Federal Motor Carrier Safety Administration has implemented a policy to ensure compliance with hours-of-service rules under part 395 of title 49, Code of Federal Regulations, by motor carriers from NAFTA countries seeking authority to operate beyond United States municipalities and commercial zones on the United States border;

(E) the information infrastructure of the government of the NAFTA country is sufficiently accurate, accessible, and integrated with that of United States law enforcement authorities to allow United States authorities to verify the status and validity of licenses, vehicle registrations, operating authority and insurance of motor carriers from that NAFTA country while operating in the United States, and that adequate telecommunications links exist at all United States-NAFTA country border crossings used by motor carrier commercial vehicles from that NAFTA country, and in all mobile enforcement units operating adjacent to the border, to ensure that licenses, vehicle registrations, operating authority and insurance information can be easily and quickly verified at border crossings or by mobile enforcement units;

(F) there is adequate capacity at each United States-NAFTA country border crossing used by motor carrier commercial vehicles from that NAFTA country to conduct a sufficient number of meaningful vehicle safety inspections and to accommodate vehicles placed out-of-service as a result of said inspections;

(G) there is an accessible database containing sufficiently comprehensive data to allow safety monitoring of all motor carriers from that NAFTA country that apply for authority to operate commercial vehicles beyond United States municipalities and commercial zones on the United States-NAFTA country border and the drivers of those vehicles; and

(H) measures are in place in the NAFTA country, similar to those in place in the United States, to ensure the effective enforcement and monitoring of license revocation and licensing procedures.

**SA 1172.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: “*Provided*, That notwithstanding any other provision of Act, nothing in this Act shall be applied in a manner that the Inspector General of the Department of Transportation certifies to be in violation of the North American Free Trade Agreement.”

**SA 1173.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: “*Provided*, That notwithstanding any other provision of Act, nothing in this Act shall be applied in a manner that the Department of Transportation Inspector General certifies to be in violation of the United States’ obligations regarding the granting of operating authority to Mexican motor carriers.”

**SA 1174.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: “*Provided*, That notwithstanding any other provision of Act, nothing in this Act shall be applied in a manner that the President finds to be in violation of the United States’ obligations regarding the granting of operating authority to Mexican motor carriers.”

**SA 1175.** Mr. FITZGERALD (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 1071 submitted by Mr. FITZGERALD and intended to be proposed to the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

In the matter proposed to be inserted, strike “preserving service at Chicago Meigs Airport (‘Meigs Field’),” and insert “preserving and utilizing existing Chicago-area reliever and general aviation airports.”

**SA 1176.** Ms. SNOWE (for herself and Mr. McCAIN) submitted an amendment intended to be proposed to amendment SA 1130 submitted by Ms. COLLINS and intended to be proposed to the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

After “Coast Guard,” add the following: “No percentage limitation on funds made available for depot-level maintenance and repair workload may be imposed as a result of this section.”

**SA 1177.** Ms. SNOWE (for herself, Mr. McCAIN, Mr. BREAUX, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 1132 submitted by Ms. COLLINS and intended to be proposed to the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

Add before the period the following: “and insert the following:

SEC. 332, Notwithstanding any other provision of this Act, section 328 shall have no force or effect.

**SA 1178.** Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

Notwithstanding any other provision of this Act, no provision of this Act shall be implemented in a manner that imposes additional requirements on Mexican nationals not imposed on Canadian nationals.

**SA 1179.** Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

Notwithstanding any other provision of this Act, no provision of this Act shall be implemented in a manner that treats Mexican nationals differently from Canadian nationals.

**SA 1180.** Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

Notwithstanding any other provision of this Act, no provision of this Act shall be implemented in a manner that treats Mexican nationals differently from Canadian nationals.

**SA 1181.** Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

Notwithstanding any other provision of this Act, no provision of this Act shall be implemented in a manner that treats Mexican nationals differently from Canadian nationals effective one day after the date of enactment of this Act.

**SA 1182.** Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

Notwithstanding any other provision of this Act, no provision of this Act shall be implemented in a manner that impose additional requirements on Mexican nationals

than imposed on Canadian nationals effective one day after the date of enactment of this Act.

**SA 1183.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

Notwithstanding any other provision of this Act, no provision of this Act shall be implemented in a manner that treats Mexican nationals differently from Canadian nationals effective one day after the date of enactment of this Act.

**SA 1184.** Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

**SEC. \_\_\_\_.** SENSE OF THE SENATE ON FUNDING FOR THE NATIONAL SCENIC BYWAYS PROGRAM.

(a) FINDINGS.—The Senate finds that—

(1) Congress authorized the national scenic byways program (referred to in this section as the “program”) under section 1219 of the Transportation Equity Act for the 21st Century (112 Stat. 219), which added section 162 of title 23, United States Code, to identify and recognize roads that have outstanding scenic, historic, cultural, natural, recreational, and archaeological qualities;

(2) the program directs that, upon nomination by a State or a Federal land management agency, the Secretary of Transportation has authority to designate roads to be recognized under the program as All-American Roads or National Scenic Byways;

(3) the program provides discretionary grants for—

(A) scenic byway projects on an All-American Road, a National Scenic Byway, or a State-designated scenic byway; and

(B) planning, designing, and developing State scenic byway programs;

(4) Congress established priorities and eligibility criteria for the program in order to ensure that a project protects the scenic, historic, cultural, natural, recreational, and archaeological integrity of a highway and adjacent areas;

(5) using the criteria and guidance authorized under section 162 of title 23, United States Code, the Secretary of Transportation applies a competitive selection process to make grants to a wide variety of projects, with the project funding requests for each year being 3 times the amount of available funds;

(6) since authorization of the program under the Transportation Equity Act for the 21st Century, the Secretary of Transportation has received applications totaling over \$60,000,000 each year, and has distributed grants totaling over \$20,000,000 for each fiscal year, of which—

(A) in fiscal year 1999, 242 projects were funded out of 286 projects requested from 39 States;

(B) in fiscal year 2000, 122 projects were funded out of 262 projects requested from 42 States; and

(C) in fiscal year 2001, 142 projects were funded out of 288 projects requested from 43 States;

(7) for fiscal year 2002, the Secretary of Transportation has received application requests for 281 projects from 41 States;

(8) for the first time since the Transportation Equity Act for the 21st Century authorized annual funding for the national scenic byways program, the Committee reports by the Committees on Appropriations of the House of Representatives and the Senate for fiscal year 2002 have directed the program funds to specific activities, with the Senate Committee report directing the full amount of \$28,550,348 provided for the program to only 6 States; and

(9) directing funds for the program to specific activities—

(A) thwarts the purposes of the program; and

(B) severely limits the number and variety of projects to receive grants.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the authorized amount for the national scenic byways program under the Transportation Equity Act for the 21st Century of \$28,848,128 for fiscal year 2002 should be available for discretionary grant award by the Secretary of Transportation; and

(2) none of those funds should be directed to specific activities by Congress.

**SA 1185.** Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, please insert:

**SEC. 343.** SAFETY OF CROSS-BORDER TRUCKING BETWEEN UNITED STATES AND MEXICO.

No funds limited or appropriated in this Act may be obligated or expended for the review or processing of an application by a Mexican motor carrier for authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border until—

(1) the Federal Motor Carrier Safety Administration—

(A)(i) requires a safety review of the carrier before granting conditional and, again, before granting permanent authority to any such carrier;

(ii) requires that such safety review shall, at a minimum, include the verification of available safety performance data necessary to determine the carrier's preparedness to comply with United States motor carrier safety rules and regulations;

(B) requires that any such safety compliance review should take place onsite at the Mexican motor carrier's facilities where such onsite review is necessary to ensure compliance with United States motor carrier safety rules and regulations;

(C) requires a policy whereby Federal and State inspectors randomly verify electronically the status and validity of the license of drivers of Mexican motor carrier commercial vehicles crossing the border;

(D) gives a distinctive Department of Transportation number to each Mexican motor carrier operating beyond the commercial zone to assist inspectors in enforcing motor carrier safety regulations including hours-of-service rules under part 395 of title 49, Code of Federal Regulations;

(E) requires—

(i) inspections of all commercial vehicles of Mexican motor carriers authorized, or seeking authority to operate beyond United

States municipalities and commercial zones on the United States-Mexico border that do not display a valid Commercial Vehicle Safety Alliance in accordance with the requirements for a Level I inspection under the criteria of the North American Standard Inspection (as defined in section 350.105 of title 49, Code of Federal Regulations), including examination of the driver, vehicle exterior and vehicle under-carriage, and

(ii) a Commercial Vehicle Safety Alliance decal to be affixed to each such commercial vehicle upon completion of the inspection required by clause (i) or a re-inspection if the vehicle has met the criteria for the Level I inspection when no component parts were hidden from view and no evidence of a defect was present, and

(iii) that any such decal, when affixed, expire at the end of a period of not more than 90 days, but nothing in this paragraph shall be construed to preclude the Administration from requiring re-inspection of a vehicle bearing a valid inspection decal or from requiring that such a decal be removed when it is determined that such vehicle has a safety violation subsequent to the inspection for which the decal was granted;

(F) requires State inspectors who detect violations of Federal motor carrier safety laws or regulations to enforce them or notify Federal authorities of such violations;

(G) initiates a study to determine whether (i) to equip significant United States-Mexico border crossings with Weigh-In-Motion (WIM) systems as well as fixed scales suitable for enforcement action and (ii) to require that inspectors verify by either means the weight of each commercial vehicle entering the United States at such a crossing;

(H) the Federal Motor Carrier Safety Administration has implemented a policy to ensure that no Mexican motor carrier will be granted authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border unless that carrier provides proof of valid insurance with an insurance company licensed in the United States; and

(I) publishes in final form regulations or issues policies—

(i) under section 210(b) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31144 nt.) that establish minimum requirements for motor carriers, including foreign motor carriers, to ensure they are knowledgeable about Federal safety standards, that include the administration of a proficiency examination;

(ii) under section 31148 of title 49, United States Code, that implement measures to improve training and provide for the certification of motor carrier safety auditors;

(iii) under sections 218(a) and (b) of that Act (49 U.S.C. 31133 nt.) establishing standards for the determination of the appropriate number of Federal and State motor carrier inspectors for the United States-Mexico border;

(iv) under section 219(d) of that Act (49 U.S.C. 14901 nt.) that prohibit foreign motor carriers from leasing vehicles to another carrier to transport products to the United States while the lessor is subject to a suspension, restriction, or limitation on its right to operate in the United States;

(v) under section 219(a) of that Act (49 U.S.C. 14901 nt.) that prohibit foreign motor carriers from operating in the United States that is found to have operated illegally in the United States; and

(vi) under which a commercial vehicle operated by a Mexican motor carrier may not enter the United States at a border crossing unless an inspector is on duty or transmits to the Congress within 30 days of the date of enactment of this Act, a notice in writing that it will not be able to complete such

rulemaking or issue such policy, that explains why it will not be able to complete such rulemaking or policy, and the date by which it expects to complete such rulemaking or policy; and

(2) the Department of Transportation Inspector General reports in writing to the Secretary of Transportation and the Congress that he will periodically report on—

(A) all new inspector positions funded under this Act have been filled and the inspectors have been fully trained;

(B) each inspector conducting on-site safety compliance reviews in Mexico consistent with the safety fitness evaluation procedures set forth in part 385 of title 49, Code of Federal Regulations, is fully trained as a safety specialist;

(C) the requirement of subparagraph (B) has not been met by transferring experienced inspectors from other parts of the United States to the United States-Mexico border, undermining the level of inspection coverage and safety elsewhere in the United States;

(D) the Federal Motor Carrier Safety Administration has implemented a policy to ensure compliance with hours-of-service rules under part 395 of title 49, Code of Federal Regulations, by Mexican motor carriers seeking authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border;

(E) there is adequate capacity at each United States-Mexico border crossing used by Mexican motor carrier commercial vehicles to conduct a sufficient number of meaningful vehicle safety inspections and to accommodate vehicles placed out-of-service as a result of said inspections;

For purposes of this section, the term "Mexican motor carrier" shall be defined as a Mexico-domiciled motor carrier operating beyond United States municipalities and commercial zones on the United States-Mexico border.

**SA 1186.** Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter being proposed please insert:

**SEC. 343. SAFETY OF CROSS-BORDER TRUCKING BETWEEN UNITED STATES AND MEXICO.**

No funds limited or appropriated in this Act may be obligated or expended for the review or processing of an application by a Mexican motor carrier for authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border until—

(1) the Federal Motor Carrier Safety Administration—

(A)(i) requires a safety review of the carrier before granting conditional and, again, before granting permanent authority to any such carrier;

(ii) requires that such safety review shall, at a minimum, include the verification of available safety performance data necessary to determine the carrier's preparedness to comply with United States motor carrier safety rules and regulations;

(B) requires that any such safety compliance review should take place onsite at the Mexican motor carrier's facilities where such onsite review is necessary to ensure compliance with United States motor carrier safety rules and regulations;

(C) requires a policy whereby Federal and State inspectors randomly verify electroni-

cally the status and validity of the license of drivers of Mexican motor carrier commercial vehicles crossing the border;

(D) gives a distinctive Department of Transportation number to each Mexican motor carrier operating beyond the commercial zone to assist inspectors in enforcing motor carrier safety regulations including hours-of-service rules under part 395 of title 49, Code of Federal Regulations;

(E) requires—

(i) inspections of all commercial vehicles of Mexican motor carriers authorized, or seeking authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border that do not display a valid Commercial Vehicle Safety Alliance in accordance with the requirements for a Level I inspection under the criteria of the North American Standard Inspection (as defined in section 350.105 of title 49, Code of Federal Regulations), including examination of the driver, vehicle exterior and vehicle under-carriage, and

(ii) a Commercial Vehicle Safety Alliance decal to be affixed to each such commercial vehicle upon completion of the inspection required by clause (i) or a re-inspection if the vehicle has met the criteria for the Level I inspection when no component parts were hidden from view and no evidence of a defect was present, and

(iii) that any such decal, when affixed, expire at the end of a period of not more than 90 days, but nothing in this paragraph shall be construed to preclude the Administration from requiring re-inspection of a vehicle bearing a valid inspection decal or from requiring that such a decal be removed when it is determined that such vehicle has a safety violation subsequent to the inspection for which the decal was granted;

(F) requires State inspectors who detect violations of Federal motor carrier safety laws or regulations to enforce them or notify Federal authorities of such violations;

(G) initiates a study to determine whether (i) to equip significant United States-Mexico border crossings with Weigh-In-Motion (WIM) systems as well as fixed scales suitable for enforcement action and (ii) to require that inspectors verify by either means the weight of each commercial vehicle entering the United States at such a crossing;

(H) the Federal Motor Carrier Safety Administration has implemented a policy to ensure that no Mexican motor carrier will be granted authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border unless that carrier provides proof of valid insurance with an insurance company licensed in the United States; and

(I) publishes in final form regulations or issues policies—

(i) under section 210(b) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31144 nt.) that establish minimum requirements for motor carriers, including foreign motor carriers, to ensure they are knowledgeable about Federal safety standards, that include the administration of a proficiency examination;

(ii) under section 31148 of title 49, United States Code, that implement measures to improve training and provide for the certification of motor carrier safety auditors;

(iii) under sections 218(a) and (b) of that Act (49 U.S.C. 31133 nt.) establishing standards for the determination of the appropriate number of Federal and State motor carrier inspectors for the United States-Mexico border;

(iv) under section 219(d) of that Act (49 U.S.C. 14901 nt.) that prohibit foreign motor carriers from leasing vehicles to another carrier to transport products to the United States while the lessor is subject to a sus-

pension, restriction, or limitation on its right to operate in the United States;

(v) under section 219(a) of that Act (49 U.S.C. 14901 nt.) that prohibit foreign motor carriers from operating in the United States that is found to have operated illegally in the United States; and

(vi) under which a commercial vehicle operated by a Mexican motor carrier may not enter the United States at a border crossing unless an inspector is on duty

or transmits to the Congress within 30 days of the date of enactment of this Act, a notice in writing that it will not be able to complete such rulemaking or issue such policy, that explains why it will not be able to complete such rulemaking or policy, and the date by which it expects to complete such rulemaking or policy; and

(2) the Department of Transportation Inspector General reports in writing to the Secretary of Transportation and the Congress that he will periodically report on—

(A) all new inspector positions funded under this Act have been filled and the inspectors have been fully trained;

(B) each inspector conducting on-site safety compliance reviews in Mexico consistent with the safety fitness evaluation procedures set forth in part 385 of title 49, Code of Federal Regulations, is fully trained as a safety specialist;

(C) the requirement of subparagraph (B) has not been met by transferring experienced inspectors from other parts of the United States to the United States-Mexico border, undermining the level of inspection coverage and safety elsewhere in the United States;

(D) the Federal Motor Carrier Safety Administration has implemented a policy to ensure compliance with hours-of-service rules under part 395 of title 49, Code of Federal Regulations, by Mexican motor carriers seeking authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border;

(E) there is adequate capacity at each United States-Mexico border crossing used by Mexican motor carrier commercial vehicles to conduct a sufficient number of meaningful vehicle safety inspections and to accommodate vehicles placed out-of-service as a result of said inspections.

For purposes of this section, the term "Mexican motor carrier" shall be defined as a Mexico-domiciled motor carrier operating beyond United States municipalities and commercial zones on the United States-Mexico border.

**SA 1187.** Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the Amendment please insert:

**SEC. 343. SAFETY OF CROSS-BORDER TRUCKING BETWEEN UNITED STATES AND MEXICO.**

No funds limited or appropriated in this Act may be obligated or expended for the review or processing of an application by a Mexican motor carrier for authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border until—

(1) the Federal Motor Carrier Safety Administration—

(A)(i) requires a safety review of the carrier before granting conditional and, again, before granting permanent authority to any such carrier;

(ii) requires that such safety review shall, at a minimum, include the verification of available safety performance data necessary to determine the carrier's preparedness to comply with United States motor carrier safety rules and regulations;

(B) requires that any such safety compliance review should take place onsite at the Mexican motor carrier's facilities where such onsite review is necessary to ensure compliance with United States motor carrier safety rules and regulations;

(C) requires a policy whereby Federal and State inspectors randomly verify electronically the status and validity of the license of drivers of Mexican motor carrier commercial vehicles crossing the border;

(D) gives a distinctive Department of Transportation number to each Mexican motor carrier operating beyond the commercial zone to assist inspectors in enforcing motor carrier safety regulations including hours-of-service rules under part 395 of title 49, Code of Federal Regulations;

(E) requires—

(i) inspections of all commercial vehicles of Mexican motor carriers authorized, or seeking authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border that do not display a valid Commercial Vehicle Safety Alliance in accordance with the requirements for a Level I inspection under the criteria of the North American Standard Inspection (as defined in section 350.105 of title 49, Code of Federal Regulations), including examination of the driver, vehicle exterior and vehicle under-carriage, and

(ii) a Commercial Vehicle Safety Alliance decal to be affixed to each such commercial vehicle upon completion of the inspection required by clause (i) or a re-inspection if the vehicle has met the criteria for the Level I inspection when no component parts were hidden from view and no evidence of a defect was present, and

(iii) that any such decal, when affixed, expire at the end of a period of not more than 90 days, but nothing in this paragraph shall be construed to preclude the Administration from requiring re-inspection of a vehicle bearing a valid inspection decal or from requiring that such a decal be removed when it is determined that such vehicle has a safety violation subsequent to the inspection for which the decal was granted;

(F) requires State inspectors who detect violations of Federal motor carrier safety laws or regulations to enforce them or notify Federal authorities of such violations;

(G) initiates a study to determine whether (i) to equip significant United States-Mexico border crossings with Weigh-In-Motion (WIM) systems as well as fixed scales suitable for enforcement action and (ii) to require that inspectors verify by either means the weight of each commercial vehicle entering the United States at such a crossing;

(H) the Federal Motor Carrier Safety Administration has implemented a policy to ensure that no Mexican motor carrier will be granted authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border unless that carrier provides proof of valid insurance with an insurance company licensed in the United States; and

(I) publishes in final form regulations or issues policies—

(i) under section 210(b) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 3114 nt.) that establish minimum requirements for motor carriers, including foreign motor carriers, to ensure they are knowledgeable about Federal safety standards, that include the administration of a proficiency examination;

(ii) under section 31148 of title 49, United States Code, that implement measures to

improve training and provide for the certification of motor carrier safety auditors;

(iii) under sections 218(a) and (b) of that Act (49 U.S.C. 31133 nt.) establishing standards for the determination of the appropriate number of Federal and State motor carrier inspectors for the United States-Mexico border;

(iv) under section 219(d) of that Act (49 U.S.C. 14901 nt.) that prohibit foreign motor carriers from leasing vehicles to another carrier to transport products to the United States while the lessor is subject to a suspension, restriction, or limitation on its right to operate in the United States;

(v) under section 219(a) of that Act (49 U.S.C. 14901 nt.) that prohibit foreign motor carriers from operating in the United States that is found to have operated illegally in the United States; and

(vi) under which a commercial vehicle operated by a Mexican motor carrier may not enter the United States at a border crossing unless an inspector is on duty

or transmits to the Congress within 30 days of the date of enactment of this Act, a notice in writing that it will not be able to complete such rulemaking or issue such policy, that explains why it will not be able to complete such rulemaking or policy, and the date by which it expects to complete such rulemaking or policy; and

(2) the Department of Transportation Inspector General reports in writing to the Secretary of Transportation and the Congress that he will periodically report on—

(A) all new inspector positions funded under this Act have been filled and the inspectors have been fully trained;

(B) each inspector conducting on-site safety compliance reviews in Mexico consistent with the safety fitness evaluation procedures set forth in part 385 of title 49, Code of Federal Regulations, is fully trained as a safety specialist;

(C) the requirement of subparagraph (B) has not been met by transferring experienced inspectors from other parts of the United States to the United States-Mexico border, undermining the level of inspection coverage and safety elsewhere in the United States;

(D) the Federal Motor Carrier Safety Administration has implemented a policy to ensure compliance with hours-of-service rules under part 395 of title 49, Code of Federal Regulations, by Mexican motor carriers seeking authority to operate beyond United States municipalities and commercial zones on the United States-Mexico border;

(E) there is adequate capacity at each United States-Mexico border crossing used by Mexican motor carrier commercial vehicles to conduct a sufficient number of meaningful vehicle safety inspections and to accommodate vehicles placed out-of-service as a result of said inspections.

For purposes of this section, the term "Mexican motor carrier" shall be defined as a Mexico-domiciled motor carrier operating beyond United States municipalities and commercial zones on the United States-Mexico border.

**SA 1188.** Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 1246, to respond to the continuing economic crisis adversely affecting American agricultural producers; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:  
**SEC. 7. INTERSTATE MOVEMENT OF ANIMALS FOR ANIMAL FIGHTING.**

(a) REMOVAL OF LIMITATION.—Section 26 of the Animal Welfare Act (7 U.S.C. 2156) is amended by striking subsection (d) and inserting the following:

"(d) ACTIVITIES NOT SUBJECT TO PROHIBITION.—This section does not apply to the selling, buying, transporting, or delivery of animals in interstate or foreign commerce for any purpose or purposes, so long as those purposes do not include that of an animal fighting venture."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on the date that is 30 days after the date of enactment of this Act.

## NOTICES OF HEARINGS/MEETINGS

### COMMITTEE ON INDIAN AFFAIRS

Mr. INOUE. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on July 31, 2001, at 10 a.m. in room 485, Russell Senate Building, to conduct a business meeting on pending committee business, to be followed immediately by a hearing on Indian Health Care Improvement Act focusing on urban Indian Health Care Programs.

Those wishing additional information may contact committee staff at 202/224-2251.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Thursday, July 26, 2001. The purpose of this hearing will be to consider nominations for positions at the Department of Agriculture.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 26, 2001, to conduct a hearing on the nominations of Ms. Linda Mysliwy Conlin, of New Jersey, to be an Assistant Secretary of Commerce for Trade Development; Ms. Melody H. Fennel, of Virginia, to be an Assistant Secretary of Housing and Urban Development for Congressional and Intergovernmental Relations; Ms. Henrietta Holsman Fore, of Nevada, to be Director of the Mint; Mr. Michael J. Garcia, of New York, to be an Assistant Secretary of Commerce for Export Enforcement; and Mr. Michael Minoru Fawn Liu, of Illinois, to be an Assistant Secretary of Housing and Urban Development for Public and Indian Housing.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on